

Message Text

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ACTION EB-11

INFO OCT-01 AF-10 EUR-25 ADP-00 INT-08 OEP-01 NEA-10 ARA-11

TRSE-00 PM-09 NSC-10 SS-14 RSC-01 AID-20 CIAE-00

COME-00 FRB-02 INR-09 NSAE-00 XMB-07 OPIC-12 CIEP-02

LAB-06 SIL-01 SAL-01 OMB-01 DODE-00 PA-03 USIA-12

PRS-01 L-03 H-02 RSR-01 /194 W
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R 191435 Z MAR 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC 9816

INFO AMEMBASSY LONDON

AMEMBASSY ROME

C O N F I D E N T I A L TRIPOLI 0340

E. O. 11652: GDS

TAGS: ENRG LY IT UK

SUBJECT: REPORTED ITALIAN DISMISSAL OF BP SUIT

1. LIBYAN NEWS AGENCY, QUOTING " RESPONSIBLE SOURCE"
AT LIBYAN NATIONAL OIL COMPANY (NOC), STATED
IN DISPATCH MARCH 15 THAT ITALIAN COURT AT SYRACUSE
HAD " DISMISSED A LAWSUIT BROUGHT AGAINST THE
ARABIAN GULF EXPLORATION COMPAY BY BRITISH PETROLEUM
IN CONNECTION WITH A SHIPMENT OF CRUDE PRODUCED FROM
THE SARIR OIL FIELD." LNA NOTED THAT THE IMPOUNDED
SHIPMENT HAD BEEN ABOARD THE TANKER " KAPITAN ELIAS"
DESTINED FOR ITALIAN PORT WHEN BP FILED SUIT
JANUARY 1, 1972.

2. ECONOFF DISCUSSED ITALIAN DECISION WITH UK
COUNSELOR EDGERTON MARCH 19. EDGERTON SAID
THAT ADVERSE JUDGMENT HAD BEEN CONFIRMED BY FCO
LONDON WHICH REPORTED BP STUDYING DECISION CAREFULLY
AND WOULD PROBABLY APPEAL IT. EDGERTON THOUGHT THAT
DECISION HAD WEAKENED BP POSITION SOMEWHAT BUT THAT
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PROBABILITY OF APPEAL AND FACT THAT COMPANY WOULD
HAVE RECOURSE TO OTHER COURTS IN EVENT OF FURTHER
ATTEMPTED SHIPMENTS WOULD DISCOURAGE PURCHASES OF
SARIR CRUDE AT LEAST IN IMMEDIATE FUTURE. EDGERTON
SAID ITALIAN DECISION HAD COME AT UNFORTUNATE TIME
BECAUSE LANGUAGE OF IRAQI- IPC AGREEMENT OF FEBRUARY 28
COULD BE INTERPRETED TO GIVE LEGITIMACY TO IRAQI
NATIONALIZATION DECREE (HEADS OF AGREEMENT SECTION 1).
THIS WAS AN ADDITIONAL REASON WHY HE THOUGHT BP WOULD
CONTINUE TO TAKE A TOUGH STAND AGAINST LARG NATIONALIZATION
HERE.
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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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30 JUN 2005

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